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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

Tyrese Fields (173733)

V.

Com. Jennifer Clemens-Abril
Deputy Com. Tammy Ross
C. O. Lopher

Case No. _____

Plaintiff Requests Trial by Jury
☒ YES ☐ NO

PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983

NOTICE:

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files under this rule. Papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff should not send exhibits, affidavits, witness statements or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed without prepayment of fees and costs.

I. The Parties to this Complaint

A. The Plaintiff

Name: Tyrese Khalil Fields

Other names you have used: _____

Prisoner Registration Number: 173733

Current Institution: St. Louis City Justice Center

Indicate your prisoner status:

☒ Pretrial Detainee

☐ Convicted and sentenced state prison

☐ Civilly committed detainee

☐ Convicted and sentenced federal prison

☐ Immigration detainee

☐ Other (explain): _____

B. The Defendant(s)

To the best of your knowledge, give the information below for each defendant named in the caption of this complaint. Make sure the defendant(s) named below are the same as those listed in the caption of this complaint. Attach additional pages if necessary.

For an individual defendant include the person's job title, and check whether you are suing the individual in his or her individual capacity, official capacity, or both.

Defendant 1

Name: Jennifer Werners-Abdullah

Job or Title: Commissioner

Badge/Shield Number: _____

Employer: St. Louis City Justice Center

Address: 200 S. Tucker Blvd.

☒ Individual Capacity ☒ Official Capacity

Defendant 2

Name: Timmy Ross

Job or Title: Deputy Commissioner

Badge/Shield Number: _____

Employer: St. Louis City Justice Center

Address: 200 S. Tucker Blvd.

☒ Individual Capacity ☒ Official Capacity

Defendant 3

Name: Officer Lopher

Job or Title: Correctional Officer

Badge/Shield Number: _____

Employer: St. Louis City Justice Center

Address: 200 S. Tucker Blvd.

✓ Individual Capacity ✓ Official Capacity

II. Statement of Claim

Commissioner Clemons-Abdullah has knowingly had me in the hole for 7 months for an inmate on inmate situation on mass assault and then administrative segregation. I've been living in inhumane conditions, giving out one shower a week, giving recreation once or twice a month, unable to groom, turned the tablet system off so I can't check my mail, unable to clean the cell nor get cleaning supplies, denying me to get out the hole for no reason, unable to talk to or see my family, class administrative segregation, mass assault, protective custody, and disciplinary segregation in the same pod when we're all supposed to be in separate pods. She continues to violate policies, civil rights, federal laws, and constitutional rights, and refuses to let me use law library saying that I need a court order. This has been going on for the past 4 months in 4 Brawls. I've suffered mental trauma, anxiety, and stress so bad that it's been causing my blood pressure to shoot up so high which has been causing my body to start shaking, blurred vision, then I blackout and fall out unconscious. I've suffered knots on my head from these incidents. She's failed to keep care, custody, and control.

On the date of August 22, 2023 after the riot I was taken to a tank on Sheriff's side and Captain Thomas came to take the zip ties off of my wrist to switch with cuffs because they were so tight that my hands were swelling up and turning purple and were shaking. Upon unlocking the tank Ms. Ross came in and walked up on me aggressively with mace and I hadn't done nothing and I was still zip tied and shocked and she pushed me to the ground. I suffered a cut on the back of my ankle from the shackles being too tight and a knot on my shin. After Captain Thomas pulled her out the tank telling her to calm down and stop.

On the date of August 23, 2023 I was in 5 Delta, 1 side cell #4 and Officer Lopher sprayed me through the foodport 1 times then walked off and doubled back and sprayed me an additional 4 times with Bear Mace. I was covered in mace from my chin to my feet and I was left in the cell without getting medical attention. I was stuck in that cell for almost 9 hours before I received medical attention and that was almost 4 hours into the next shift. I only ended up getting medical attention because a response team along with a captain to take an inmate in the cell next to me to his legal visit and upon being escorted to medical Captain Fomiles informed me that there was no pass down of the incident nor a write up in the system for it. I went on suicide watch because I feared for my life because all the officers did to me and they refused to let Mental Health see me for a week exactly. I had to catch a good officer to get Mental Health up here for me and I reported all the situations of all the officers had done to me in the past week and 2 days after that they pop up with a write up for me being moved when he's had about 40 write ups sitting on his desk for the riot for over a week. They gave the other pod their rec book that participated in the riot but haven't even let us and it's been a month and I haven't had rec in 2 months. I suffered an unauthorized assault by a correctional officer. He sprayed me without a Lt or Captain's authorization and there wasn't even one present and that goes against policy.

III. Injuries

For the blackouts my vitals were checked, hospitalized, taken to medical, and then monitored my blood pressure until it went down.

I didn't get medical attention for the August 22, 2023 situation.

I got my eyes rinsed out and a shower for the August 23, 2023 situation.

IV. Relief

I want the court to grant me \$1 million dollars because for the past 7 months and counting I've been treated as less than a human and assaulted on numerous occasions by officers while I wasn't being aggressive or posing a threat and they've continuously physically and mentally abused and tormented me and prevent me from speaking to my family. They intentionally have me living in inhumane conditions and knowingly violate my civil rights, constitutional rights, amendments, federal laws, and their policy.

V. Exhaustion of Administrative Remedies / Administrative Procedures

The Prison Litigation Reform Act ("PLRA") 42 U.S.C. § 1997e(a), requires that "No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility, until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?
☒ YES ☐ NO

If yes, name the jail, prison, or other correctional facility where you were confined at the times of the events giving rise to your claim(s):

St. Louis City Justice Center

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?
☒ YES ☐ NO ☐ Don't know

- C. If yes, does the grievance procedure at the jail, prison, or other correctional facility where you claim(s) arose cover some or all of your claims?
☐ YES ☒ NO ☐ Do Not know

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?
☒ YES ☐ NO

E. If you did file a grievance:

1. Where did you file the grievance?

on tablet and paper

2. What did you claim in your grievance?

I gave the run down of the assaults by Deputy Commissioner Ross, Officer Lophers, and other assaults by officers. Also about my rights being violated and living in inhumane conditions.

3. What was the result, if any?

I never got a copy back nor a response for the assaults and I got a response on the tablet from the Commissioner about my grievance about my rights being violated and living in inhumane conditions and her response was basically I know and gave me the run around about something being done and here I am 7 months later and counting and nothing has been done but the situation has got worse.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not.

Went no chance majority of the grievances I put in have disappeared. Once I turn them in I never see them again. The staff are very vocal about throwing them away and that they hold no weight and nothing is ever done. The people in charge here do whatever they want and the employees that continue to work here is nil.

F. If you did not file a grievance,

1. If there are any reasons why you did not file a grievance, state them here:
 2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any.
- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies:

I reported the situation to the Unit Manager he told me "if it wasn't written up then it never happened."

I told the caseworker and they removed her because she be helping us.

I expressed these problems with the commissioner and deputy commissioner when they've did the couple rounds along with the major. Since I've been up here and all they do is do a fake round laugh in my face and I don't see them again for another few months.

VI. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has, on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

- A. To the best of your knowledge, have you ever had a case dismissed on the basis of this "three strikes rule"?
- YES ☒ NO

Have you filed other lawsuits in state or federal court dealing with the same facts ~~that~~ involved in this action?

— YES ☒ NO

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?
- YES ☒ NO

VII. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing laws or by a nonfrivolous argument for extending, modifying, or reversing existing laws; (3) the factual contentions have evidentiary support or, opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 18th day of September 2023.

Signature of Plaintiff Jayme Fields